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## TE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S)

: Panasewicz et al.

**FOR** 

ADJUSTABLE SHELVING SYSTEM

**FOR VEHICLES** 

SERIAL NO.

10/821,366

**FILED** 

: April 9, 2004

**EXAMINER** 

Gutman, Hilary L.

**ART UNIT** 

3612

CONFIRMATION NO.

1209

ATTORNEY DOCKET NO.

: ABCT 2 00003

## 2<sup>nd</sup> SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant(s) submit(s) the following Disclosure Statement concerning art of which the applicant(s) is (are) aware. A copy of PTO-1449 is enclosed herewith.

This Information Disclosure Statement should not be construed to be an admission that any information referred to herein or submitted herewith is "prior art" or is considered to be material to patentability for this invention.

The United States Patent and Trademark Office OG Notice dated 12 October 2004 published a final rule revising 37 C.F.R. 1.98 dealing with the content of Disclosure Statements. Paragraph (a)(2) was revised to read in part, "A legible copy of:

(i) Each foreign patent; (ii) Each publication or that portion which caused it to be listed,

other than U.S. patents and U.S. patent application publications unless required by the Office." Therefore, Applicant(s) has (have) not enclosed copies of the cited U.S. patents and published patent applications with this Information Disclosure Statement.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement should not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

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that no other material information as defined in 37 C.F.R. §1.56(b) exists.					
☐ Under § 1.98(a)(3), a concise explanation of relevance is required for					
information that is not in the English language. Accordingly, the English language					
documents have no further explanation.					
All of the cited and/or included documents were cited by the Patent					
Office in a related application(s). A copy of the Search Report is enclosed.					
Consideration of the appropriate paragraph(s) indicated below is respectfully					
requested:					
☐ WITHIN THREE MONTHS OF FILING: Under § 1.97(b)(1), this					
Information Disclosure Statement is being filed within three months of the filing date of					
the application (or date of entry of the national stage). Although it is believed no fee is					
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☐ BEFORE FIRST OFFICE ACTION: Under § 1.97(b)(3), this Information					
Disclosure Statement is being filed before the mailing date of a first Office Action on the					
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☐ BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION					
THAT CLOSES PROSECUTION/WITH STATEMENT: Under § 1.97(c)(1), this					
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Notice of Allowance or action that otherwise closes prosecution in the application if					
accompanied by the statement:					
Under S 1.07(e)(1), the undereigned states:					
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A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

	Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.					
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		the fee in the amount of \$180.00 as required by §1.17(p). dingly, the necessary fee accompanies this Information Disclosure nent, as set forth below.				
		PRIORITY CLAIM: The attached PTO 1449 Form includes all patents,				
publica	ations,	or other information previously cited by or submitted to the Office in one or				
more	orior ap	oplications from which the present application claims priority. These one or				

more prior applications are identified in the papers accompanying the filing of this application.

Any payment due for the filing of this Information Disclosure Statement is authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

It is respectfully requested that the attached document(s) be considered and officially cited in examination of this application.

Respectfully submitted,

FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP

/<u>0/5/2</u>005 Date

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216-861-5582

## CERTIFICATE OF MAILING

I certify that this Information Disclosure Statement and accompanying document(s) are being  deposited with the United States Postal Service as First Class mail under 37 C.F.R. 1.8, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.  transmitted to facsimile number under 37 C.F.R. 1.8 on the date indicated below.  deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.						
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Date October 5.2005	Printed Name  Laurie A. Boylan					

PTO/SB/08A (07-05)

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Initials*   No.	OTPE							
NFORMATION DISCLOSURE   Filing Date   April 9, 2004   First Name   Gutman, Hillary L.	Sul						Complete if Known	
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